

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	
RUDOLPH GEORGE STANKO,	)	
	)	8:05CR93
Defendant.	)	

NOTICE OF APPEAL

COMES NOW Rudolph Stanko, the Defendant in the above-entitled matter, with this notice of appeal of certain aspects of the Court's May 4, 2005 Memorandum and Order (Document #47) to the Court of Appeals. Jurisdiction for this appeal is grounded in 28 U.S.C. § 1292(a)(1) with regard to the portion of the Court's order denying the Defendant's Motion For Declaratory Judgment (Document #22) and in 28 U.S.C. § 1292(a)(1) and the collateral order doctrine established in *Cohen v. Beneficial Indus. Loan Corp.*, 337 US. 541 (1949), with regard to the portion of the Court's order denying the Defendant's petition and motion for declaration (Document #23) and Defendant's motion for access to grand jury transcripts (Document #21).<sup>1</sup>

s/ Roger I Roots, Esq.  
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<sup>1</sup> Defendant notes that the grand jury improprieties may also qualify for interlocutory review under 28 U.S.C. § 1292(b), upon an application for certification. See *United States v. Bonnell*, 483 F. Supp. 1091 (C.D. Minn. 1979).

CERTIFICATE OF SERVICE

I, Roger Roots, do certify that on May 9, 2005 a copy of the foregoing document was transmitted electronically using the CM/ECF system which sends notification of such filing to the attorney for the government appearing in this case.

Signed: Roger I Roots, Esq.  
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